

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 3:19-cr-171

vs.

NATHAN GODDARD, *et. al.*,

District Judge Michael J. Newman

Defendants.

ORDER: (1) SETTING TRIAL FOR FEBRUARY 26, 2024; (2) SETTING A MOTION IN LIMINE DEADLINE FOR DECEMBER 4, 2023; AND (3) EXCLUDING THE TIME PERIOD FROM OCTOBER 4, 2023 TO FEBRUARY 26, 2024 FROM THE SPEEDY TRIAL ACT CALCULATION.

This criminal case comes before the Court after a status conference held on October 4, 2023. Donald Malarcik, Jacob Will, Dennis Lieberman, and Kathryn Bowling participated in the conference on behalf of Defendants. Brent Tabacchi, Amy Smith and Christina Mahy participated on behalf of the Government. The status conference was a follow-up to a previous held the day before (on October 3, 2023), where the Court proposed various trial dates to the parties. During the October 4, 2023 status conference, all parties agreed to a trial date beginning on **February 26, 2024 at 9:00 A.M.** The parties also agreed to a filing deadline for motions in limine of **December 4, 2023**. Counsel for all parties agreed to waive the current Speedy Trial Act deadline between October 4, 2023 and February 26, 2024.

Thus, the Court hereby **GRANTS** the joint oral motion to waive the Speedy Trial Act deadline. The Court finds that, pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (B)(i), after considering the factors set forth therein, the ends of justice are served by granting the requested continuance and that such continuance outweighs the best interest of the public and Defendant in a speedy trial.

Failure to grant the requested waiver would deny both the Government and Defendant the time necessary for effective preparation (such as having witnesses available to testify at trial), and the ability to explore all available means of resolving this case. *See* 18 U.S.C. § 3161(h)(7). Accordingly, the Speedy Trial Act deadline is TOLLED while the parties prepare for trial. As explained above, the time period from October 4, 2023 to February 26, 2024 is EXCLUDED from the Speedy Trial Act calculation.

IT IS SO ORDERED.

October 5, 2023

s/Michael J. Newman

Hon. Michael J. Newman
United States District Judge